

poses, a majority of the community hath an indubitable, inalienable and indefeasible right to reform, alter or abolish it in such manner as shall be judged most conducive to the public want.

This provision was again adopted in Virginia in the bill of rights of 1830.

In the Convention of Virginia a proposition was made to engrft a clause on the Constitution, providing for its future amendment. This was rejected on the ground that a majority of the people had the power at any time, and in any manner they pleased, to amend their Constitution, or to make a new one.

Among those voting against the provision, were James Madison and John Marshall.

Some conversation followed on a point of order, in which Messrs. BRENT, of Baltimore, SPENCER and the PRESIDENT, took part.

Mr. SPENCER then proceeded to remark, that he should vote in favor of the proposition of the gentleman from Cecil, (Mr. McLane,) and he, (Mr. S.) maintained the proposition of the gentleman from the city of Baltimore, (Mr. Presstman,) in all its integrity. He should go further than that gentleman, according to the views he had submitted this morning. He was in favor of the proposition of the gentleman from Cecil, (Mr. McLane,) because it declared it to be the duty of the Convention to carry out that great cardinal principle, which lay at the foundation of all government. The mode pointed out by the gentleman from Cecil, was good, and should receive the approbation of every member—certainly every reform member of the Convention.

Mr. SPENCER said he did not intend to go into any elaborate argument. He should vote with all his heart for the amendment of the gentleman from Cecil, and for the proposition of the gentleman from Baltimore, [Mr. Presstman.] He desired also to add a few authorities to those which had been brought forward by the gentleman from Baltimore county, [Mr. Buchanan.] He then proceeded to read extracts from No. 84 of the Federalist, from Judge Story's commentaries, and from Davis' abridgement, for the purpose of sustaining the position, concerning the meaning of compact and the right of the people to alter, amend or abolish their form of government. He had cited these authorities to sustain the position he had started in the beginning of this debate.

Mr. MITCHELL begged leave to ask the gentleman from Queen Anne's, a single question. That gentleman, as well as himself, represented one of the small counties of the State. Was the gentleman prepared to throw the whole power of the State, into the hands of the people of Baltimore?

Mr. SPENCER replied that he had no fear of the power of Baltimore, or of her hostility to the counties. He was of opinion that whenever Baltimore should attempt to exercise a power over the counties, she would find in the counties power and energy enough, to oppose an effectual resistance to the attempt. The fact of the existence of a city like Baltimore in the State, did

not draw him off from the republican faith. He was proud of such a city, and if the gentleman, who was from a smaller county, had a smaller share of that faith, it could not be helped. He hoped that the gentleman was answered.

Mr. MITCHELL. I am answered.

Mr. SPENCER resumed, in conclusion. He had not intended, when he rose, to make a speech. He would only add, that he intended to vote for the amendment of the gentleman from Cecil; and whenever it should be necessary for him to do so, he was ready to defend the position he had taken.

Mr. CHAMBERS said nothing was more important, in all controversies, than a distinct statement and understanding of the exact points in issue. From what was passing around us, he was led to think we were in great danger of fighting shadows. He very much regretted the apparent unwillingness of gentleman, to explain their positions precisely. It had even been said to be "unfair," to ask gentlemen distinctly to explain the object and design of their propositions submitted for our action. He regarded such notions as utterly out of place here.

Our proper duty here was to form such a Constitution, as would best secure to the people of Maryland—the whole people—the full and safe enjoyment of life, liberty and property, for all time, and not to elevate one class or party in the community, and depress another. Its provisions should be not only just and equal, but as plain and intelligible, and as free from doubt or obscurity as possible, so that those who administer the Government, and all intelligent persons, may comprehend its import. It would be a poor boon to the State, if our labors resulted in an instrument calculated to produce doubts and difficulties, and expensive litigations. He adverted to the history of this debate. When the section in the bill of rights, reported by the committee, which declares in the most expressive terms, the supreme sovereignty of the people, as the source of all political power, and their right to control and alter the government, was under consideration, the resolution now before the chair, was offered by the gentleman from Baltimore, [Mr. Presstman.] He had not perceived the necessity for any additional declaration of the kind, and enquired of the gentleman why he considered it requisite. To this it was answered that the object was to introduce the doctrine, distinctly avowed as his creed, that the majority of the people, at any time, in any mode they pleased, and without any previous constitutional or legal provision—nay, against and in opposition to constitutional or legal provision, could remodel the government or form a new one. Against this doctrine he had entered his solemn protest, and had ventured to read the first article of the present bill of rights, which declared that "all government is founded in compact only and instituted solely for the government of the whole." Another gentleman from Baltimore, [Mr. Brent,] had controverted the doctrine of his colleague, so far as related to the necessity of some legal provision, declaring the mode of proceeding. A gentleman from Queen Anne's, [Mr. Wright,] in